

Report Date: April 14, 2006

United States District Court

for the

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Eastern District of Washington

APR 21 2006

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

JAMES R. LARSEN, CLERK
YAKIMA, WASHINGTON DEPUTY

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Cecil C. Michel

Case Number: 2:04CR00158-001

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko

Date of Original Sentence: 1/19/2005

Type of Supervision: Supervised Release

Original Offense: Abusive Sexual Contact Within
Indian Country, 18 U.S.C. §§ 2244(a)(2) and 1153

Date Supervision Commenced: 2/8/2006

Original Sentence: Prison - 23 Months; TSR - 12
Months

Date Supervision Expires: 2/7/2007

PETITIONING THE COURT

To modify the conditions of supervision as follows:

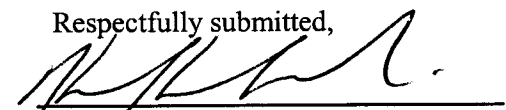
- 23 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 24 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

CAUSE

Recent 9th Circuit case law requires the Court to indicate a specific number of urine/Breathalyzer tests an offender can be subject to. The indicated modification will bring the offender's previously imposed testing conditions into compliance with this case law. The offender has agreed to the modification and signed a wavier, which is enclosed for the Court's review.

Respectfully submitted,

by



Kevin Crawford
U.S. Probation Officer
Date: April 14, 2006

Prob 12B

Re: Michel, Cecil C

April 14, 2006

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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

United States District Court**Eastern District of Washington****Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

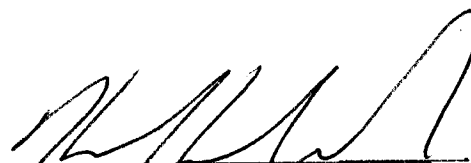
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

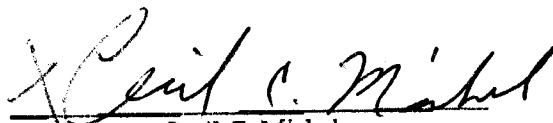
To modify the conditions of supervision as follows:

- 23 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 24 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Witness:


Kevin Crawford
U.S. Probation Officer

Signed:


Cecil C. Michel
Probationer or Supervised Releasee

APC.
April 18, 2006

Date